

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In Re:

JOHN K. ELLIS
CANDICE R. ELLIS,
Debtors.

Case No. 18-10405
Chapter 13

MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN

JOHN K. ELLIS and CANDICE R. ELLIS (the “Debtors”), by and through their attorney, Elizabeth Fairbanks-Fletcher, Esq., respectfully represent the following in support of their Motion to Modify Debtors’ Chapter 13 Plan (the “Motion”):

1. Debtors filed a voluntary petition for relief pursuant to Chapter 13 of the United States Bankruptcy Code on March 15, 2018 (the “Petition”). The original plan was confirmed on February 14, 2019.
2. As of the date of this Motion, Debtors have paid \$49,184.14 to the Trustee. There is currently \$432.00 on hand with the Trustee.
3. The Plan runs 60 months from confirmation.
4. Debtors seek to modify the plan to correct the previous motion and order modifying the Debtors’ Chapter 13 Plan (D.N.s 124, 132), which did not specify that the plan base was contemporaneously reduced. This motion seeks to clarify and correct that issue and reduce the plan base to \$51,409.43. All other plan provisions, including the return to the unsecured creditors and trustee’s commission, remain unchanged.
5. Debtors will continue to make the remaining plan payments pursuant to a wage deduction order.
6. Your affiant further seeks an order of attorney fees in the amount of \$25.65 for costs related to this motion, included in the total plan base as stated above.

WHEREFORE, Debtors respectfully pray of the Court for the relief requested herein.

Dated: January 15, 2024

/s/ Elizabeth Fairbanks-Fletcher, Esq. 513317
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